

Application No. 10/666,420

REMARKS/ARGUMENTS

The drawing for figure 1 was objected to for failing to place "Replacement Sheet" in the top margin thereof. Enclosed herewith is a new drawing that adds "Replacement Sheet" in the top margin. Therefore, the objection to the drawing should be withdrawn.

This specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. Specifically, the Examiner objected to the previous recitation in Claim 1 that the line of weakness was oriented substantially parallel with lines of product information printed on the first face. This limitation has been deleted from Claim 1; therefore, this objection to this specification should be withdrawn.

Claims 1-12 and 21 were rejected under section 103 as being unpatentable over Gelsinger in view of Dronzek. The independent claims in this group are claims 1 and 21. Claims 2 and 4 have been cancelled. The limitations of these claims have been added claim 1 along with claim 1 further reciting that the lower end portion of the label is larger than the secondary liner. Regardless of any interpretation of the Gelsinger reference, it is clearly noted in the Gelsinger reference that "The portion 170 is slightly larger than the detachable section 130, but smaller than the adhesive section 120" (see column 3, lines 67, column 4, lines 1-2). The detachable section 130 as explained in Gelsinger is fully contained within the perimeter of the adhesive section 120.

As also recited in the Response to the Prior Office Action, Gelsinger does not disclose the claimed two-part label; rather incorporation of the detachable section 130 results in 3 portions. Furthermore, if the dotted lines representing the detachable section 130 correspond to the claimed first line of weakness, it is clearly shown that the detachable section is fully contained within the perimeter of the adhesive section 120 (column 3, lines 23-26). Therefore, the dotted lines defining the detachable section cannot define a line separating the upper and lower portions of the label in two first and second parts so that the upper and lower end portions are separated

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from one another when the label sheet is broken along the first line of weakness. As also fully explained within Gelsinger, the label of Gelsinger is never broken along the dotted lines which define the detachable section 130; rather, the marginal area 180 of the adhesive section 120 ensures that portion 170 of released liner 160 is sealed onto the surface of the container (see column 4, lines 15-18).

With respect to independent claim 21 , as mentioned above, Gelsinger at least fails to disclose a label sheet having a line of weakness formed thereon which extends between upper and lower end portions and defining lines separating said upper and lower end portions so that the upper and lower end portions are separated from one another when the label sheet is broken along the line of weakness. Furthermore, claim 21 requires that the lower end portion extend substantially vertically below the upper end portion and not in contact with the object. Gelsinger specifically teaches away from any part of the label which extends vertically below an upper end portion and not in contact with the object. In Gelsinger, the label is first attached to the object and the marginal area 180 of the adhesive section 120 ensures that portion 170 of the release liner 160 sealed onto the surface. Even when the detachable section 130 is removed from the label, there is no identifiable structure in Gelsinger which corresponds to the claimed lower end portion extending substantially vertically below an upper end portion and not in contact with the object. Claims 3,5, and 6-12 depend directly or indirectly from claim 1. Therefore, this rejection under section 103 should be withdrawn.

Claim 21 was rejected under section 102 as being anticipated by Korondi. Claim 21 has been further amended to recite that the secondary liner also has a size approximating a size of said lower end portion. As mentioned in the Response to the Prior Office Action, referring to Fig. 1 of Korondi, the label form disclosed therein includes two labels formed on opposite sides of the spacing strip. The adhesive is deadened in the area between the perforations which defines

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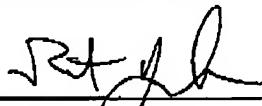
the spacing strip. The release liner is a continuous piece of material which extends between the label form. Claim 21 requires that the upper portion of the label is coupled to the object, and that a secondary liner is coupled to the lower end portion of the label sheet, the secondary liner having a shape and size approximating a shape and size of a lower end portion. It is believed that Korondi fails also to disclose any structure corresponding to the claimed secondary liner which is coupled to the lower end of the label sheet. Furthermore, Korondi simply discloses a continuous liner sheet 12 and no perforation or lines of weakness on the liner sheet which define a secondary liner as claimed. Korondi does show perforations 50 separating individual labels, but these perforations do not define or otherwise delimit a secondary liner having a size and shape approximating a size and shape of a lower end portion of the label. Therefore, claim 21 clearly distinguishes over Korondi and this rejection under section 102 should be withdrawn.

Applicant has made a sincere effort to place the application in a condition for allowance; therefore, such favorable action is earnestly solicited. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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